

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

v.

CHRISTOPHER KYLE
JOHNSTON and TRENT
BROCKMEIER

Case No. 20-cr-00800-ESK

ORDER

THIS MATTER having come before the Court on the motions in limine filed by the government (ECF Nos. 221, 226) and defendants Christopher Kyle Johnston and Trent Brockmeier (ECF Nos. 222, 223); and the parties having filed oppositions (ECF Nos. 235, 236, 237, 238) to the moving briefs and replies (ECF Nos. 240, 241, 242) in further support of their positions; and the Court having held a hearing on the motions on January 24, 2025; and for the reasons stated on the record:

IT IS on this **24th** day of **January 2025** **ORDERED** that:

1. The government's motion in limine to exclude defense experts (ECF No. 226) is **DENIED without prejudice**.

2. The aspect of the government's motion in limine to "[p]ermit the use of hypothetical questions to elicit testimony from a fraud victim about what information was material" (ECF No. 221 pp.50–52) is **DENIED without prejudice**.

3. The aspect of the government's motion in limine to "[a]dmit [s]ummary [c]harts [t]racing the [f]unds [p]aid to [r]elevant [i]ndividuals and [e]ntities" (*id.* pp. 52–56) is **GRANTED**.

4. The aspect of the government's motion to introduce "evidence showing defendants' receipt and spending of the proceeds of the charged crimes" as to defendants' purchase of a yacht and home (*id.* pp.68–70) is **DENIED**.

5. The aspect of the defendants' motions in limine to limit evidence the government argues is intrinsic to the charged crimes that defendants authorized payments in violation of the federal Anti-Kickback Statute or, in the

alternative under Federal Rule of Evidence 404(b) (ECF Nos. 222, 223) is **GRANTED**.

6. All other aspects of the parties' motions in limine are **moot**.
7. The Clerk of the Court is directed to terminate the motions at ECF Nos. 221, 222, 223, and 226.

/s/ *Edward S. Kiel*
EDWARD S. KIEL
UNITED STATES DISTRICT JUDGE